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*Local Counsel for Plaintiff*

**UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

PEGGY BANKS, individually and on behalf  
 of all others similarly situated,

Plaintiff,

v.

SUNRUN INC.

Defendant.

Case No. 3:24-cv-07877-JST

Filed in case 23-cv-05034

Hon. Jon S. Tigar

**PLAINTIFF'S RESPONSE TO ORDER  
 TO SHOW CAUSE**

Plaintiff respectfully responds to the Court's Order to Show Cause Re: Why Cases  
 Should Not Be Related (ECF No. 26), as follows:

The Plaintiff objects to the relation of the three cases mentioned on the basis that the  
 instant case, *Banks v. SunRun Inc.*, is premised on a unique set of facts and circumstances not  
 present in the other two cases. In *Strickland v. SunRun, Inc.*, the Plaintiff alleged that the calls  
 originated not from the SunRun brand, but rather were made by a pseudonym for SunRun, on a  
 website called Solar America. *Strickland v. Sunrun, Inc.*, No. 3:23-cv-05034-JST, Am. Compl. ¶  
 29, ECF No. 23 (C.D. Cal. filed Jan. 4, 2024). Similarly, in *Luckau v. SunRun, Inc.*, the case  
 alleges that SunRun was calling using the same pseudonym, Solar America. *Luckau v. SunRun,*  
*Inc.*, No. 4:25-cv-01661-JST, Compl. ¶ 27, ECF No. 1 (C.D. Cal. filed Feb. 18, 2025).

Plaintiff's Response to Order to Show Cause  
*Banks v. SunRun Inc.*, Civil Action No. 3:24-cv-07877-JST

Here, the Plaintiff in this case does not allege that the calls originated from “Solar America,” but rather from SunRun *directly*, including because the caller IDs indicated that the caller was from SunRun. (Compl. ¶ 15, 16.) On that basis, this case is distinguishable from the other cases, where the callers identified themselves as calling from Solar America and Solar America is alleged to be a pseudonym used by SunRun. As such, there is not a unity of facts as between the three cases, as they tend to show, at minimum, that the calls Plaintiff received here differed from SunRun’s other marketing strategies, which used pseudonyms. As such, the Plaintiff respectfully submits that this case should not be deemed related.

Dated: March 3, 2025                      PLAINTIFF, individually and on behalf of all  
others similarly situated,

By: /s/ Andrew Roman Perrong  
Andrew Roman Perrong  
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*Attorney for Plaintiff and the Proposed Class*

### **CERTIFICATE OF SERVICE**

I certify that I filed the foregoing via ECF on the below date, which will automatically send a copy to all attorneys of record on the case.

Dated: March 3, 2025.

/s/ Andrew Roman Perrong  
Andrew Roman Perrong, Esq.